

## **REMARKS**

Claims 1-4, 6-31, and 33-40 are now pending in the application. Applicants would like to thank the Examiner for the courtesy extended during the telephonic interview held on March 11, 2008. During the interview, Applicants' representative and the Examiner discussed inclusion of new claim 40 and the limitations included herein. The Examiner agreed that the limitations overcome the Sato reference, subject to further search and consideration. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-4, 6, 7, 9-27, 29-31, and 33-39 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sato et al. (JP 06-267577). This rejection is respectfully traversed.

With respect to claim 1, as best understood by Applicants, Sato fails to teach or suggest the limitation of a controller that adjusts individual currents provided by fuel cell stacks **in a predetermined sequence**, as claim 1 recites.

For anticipation to be present under 35 U.S.C. §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be **inherent or expressly disclosed** and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Applicants respectfully assert that Sato fails to teach or disclose the limitation of a controller that

adjusts individual currents provided by fuel cell stacks **in a predetermined sequence**, as claim 1 recites.

As shown in an exemplary embodiment in FIG. 3 of the present application, control selects a first fuel cell stack (e.g., step 204) and adjusts the current produced by the first fuel cell stack to produce a desired current (e.g., steps 212-224). Control then selects the next fuel cell stack in the sequence (e.g., step 232) and adjusts the current produced by the next fuel cell stack in a similar manner. In other words, the controller adjusts the individual currents of the fuel cell stacks **in a predetermined sequence**, as claims 1 recites. Further support can be found in, for example, paragraphs [0030]-[0031] of the present application.

In contrast with the present application, as best understood by Applicants, Sato teaches controlling individual currents of fuel cell stacks **randomly**. For example, Sato states that “the output current of each stack varies with changes over time, fluctuations in temperature and other reasons.” (See paragraph [0022]). In other words, Sato recognizes that the output current of any given fuel cell stack may fluctuate randomly. Sato then states that “voltage detectors  $I_{D1}$ - $I_{Dn}$  are connected to the respective stacks to monitor the output currents. (See paragraph [0022]) In other words, Sato continuously **monitors** the output current of each of the fuel cell stacks and **adjusts the currents randomly**, i.e., as needed, in response to any fluctuations.

Therefore, Applicants respectfully assert that Sato fails to teach or disclose the limitation of a controller that adjusts individual currents provided by fuel cell stacks **in a predetermined sequence**, as claim 1 recites.

Applicants respectfully assert that claim 1, as well as its dependent claims, should be allowable for at least these reasons. Applicants note that independent claims 13, 19, 31, and 35 include limitations similar to those of claim 1. Therefore, Applicants respectfully assert that claims 13, 19, 31, and 35, as well as their respective dependent claims, should be allowable for at least similar reasons.

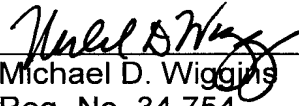
Applicants further note that new claim 40 includes similar limitations. Therefore, Applicants respectfully assert that claim 40 should be allowable for at least similar reasons.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By:   
Michael D. Wiggins  
Reg. No. 34,754

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MDW/DMA